



**COUNTY OF SAN LUIS OBISPO  
DEPARTMENT OF PLANNING AND BUILDING  
STAFF REPORT**

**Tentative Notice of Action**

*Promoting the wise use of land  
Helping build great communities*

MEETING DATE July 18, 2014 EFFECTIVE DATE August 2, 2014	CONTACT/PHONE Holly Phipps / 781-1162 / hphipps@co.slo.ca.us	APPLICANT Acheve'e Vineyards	FILE NO. DRC2012-00123
<b>SUBJECT:</b> Hearing to consider a request by <b>ACHEVE'E VINEYARDS, LLC</b> for a Minor Use Permit to allow for the phased construction of a winery facility with a public tasting room. At build-out the winery would total 9,200 square feet (sf) of indoor use areas and 4,065 sf of outdoor use areas. The project will result in the disturbance of approximately 43,170 sf (0.99 acres) on a 70.53 acre parcel. Wine production is estimated at 10,000 cases per year. The proposed project includes 6 special events per year; with a maximum of 80 guests at each special event. The proposed 6 special events are in addition to industry-wide events, which are exempt from permit requirements. No outdoor amplified music after 5 pm is proposed. The proposed project is within the Agriculture land use category (located at 5170 Vineyard Drive), approximately 2 miles northwest of Highway 46 West, and approximately 3 miles northwest of the community of Templeton. The site is in the Adelaida planning area.			
<b>RECOMMENDED ACTION</b> 1. Adopt the Mitigated Negative Declaration in accordance with the applicable provisions of the California Environmental Quality Act, Public Resources Code Section 21000 et seq. 2. Approve Minor Use Permit DRC2012-00123 based on the findings listed in Exhibit A and the conditions listed in Exhibit B.			
<b>ENVIRONMENTAL DETERMINATION:</b> The Environmental Coordinator, after completion of the initial study, finds that there is no substantial evidence that the project may have a significant effect on the environment, and the preparation of an Environmental Impact Report is not necessary. Therefore, a Mitigated Negative Declaration (pursuant to Public Resources Code Section 21000 et seq., and CA Code of Regulations Section 15000 et seq.) has been issued on May 12, 2014 of issuance for this project. Mitigation measures are proposed to address aesthetics, biological resources, geology and soils, public services/ utilities, transportation/circulation, wastewater, and water/hydrology and are included as conditions of approval.			
LAND USE CATEGORY Agriculture	COMBINING DESIGNATION None	ASSESSOR PARCEL NUMBER 039-101-045	SUPERVISOR DISTRICT(S) 1
<b>PLANNING AREA STANDARDS:</b> None applicable			
<b>LAND USE ORDINANCE STANDARDS:</b> Section 22.30.070 Agricultural Processing Uses, Section 22.62.050 Minor Use Permit Approval, Section 22.10.140 Setbacks, Section 22.10.090 Heights, Chapter 22.18 Parking and loading, Section 22.10.180 Water quality, Section 22.30.610, Temporary Events, Section 22.10.120 Noise Standards. Does the project conform to the Land Use Ordinance standards? Yes - see discussion			
<b>FINAL ACTION</b> This tentative decision will become final action on the project, effective on the 15 <sup>th</sup> day following the administrative hearing, or on August 2, 2014 if no hearing was requested unless this decision is changed as a result of information obtained at the hearing or is appealed.			
<small>ADDITIONAL INFORMATION MAY BE OBTAINED BY CONTACTING THE DEPARTMENT OF PLANNING &amp; BUILDING AT: COUNTY GOVERNMENT CENTER γ SAN LUIS OBISPO γ CALIFORNIA 93408 γ (805) 781-5600 γ FAX: (805) 781-1242</small>			

EXISTING USES: Single family residence	
SURROUNDING LAND USE CATEGORIES AND USES: <i>North:</i> Agriculture; agricultural uses, grape vines <i>East:</i> Agriculture; agricultural uses, dry farm <i>South:</i> Agriculture; single-family residence <i>West:</i> Agriculture; single-family residence	
OTHER AGENCY / ADVISORY GROUP INVOLVEMENT: The project was referred to: Public Works, Environmental Health, Agricultural Commissioner, CAL FIRE, RWQCB, and Templeton Area Advisory Group	
TOPOGRAPHY: Gently sloping level to moderately sloping	VEGETATION: Ornamental landscaping, wine grapes (40 ac)
PROPOSED SERVICES: Water supply: On-site well Sewage Disposal: Individual septic system Fire Protection: CAL FIRE	ACCEPTANCE DATE: October 09, 2013

#### PROJECT DESCRIPTION:

The project includes the phased construction of a winery facility with a public tasting room. At build-out the winery would total 9,200 square feet (sf) of indoor use areas and 4,065 sf of outdoor use areas. Wine production is estimated at 10,000 cases per year. The project includes 6 special events per year; with no more than 80 guests each, in addition to industry-wide events, as allowed by ordinance. No outdoor amplified music after 5 p.m. is proposed.

The proposed project is a production winery operation that will include on-site crushing, fermentation, barrel aging, blending, bottling, and case good storage. The proposed winery will process grapes from both on-site (40 +/- acres) and from off-site. The size and spaces within the proposed winery and tasting room are as follows:

#### Phase I

The construction of a 7,640 sf winery/tasting room to include the following:

- Fermentation - 2,915 sf,
- Barrel Room – 1,140 sf,
- Case Goods Storage Room – 1,405 sf,
- Employee Break Rm, Conference, Offices – 445 sf,
- Employee Restroom, Maintenance Room and Lab – 340 sf,
- Tasting Room – 1,128 sf,
- Restrooms – 267 sf;
- Outdoor crush pad – 2,565 sf and,
- Patio/pergola – 1,500 sf

#### Phase II

The construction of a 1,560 sf addition onto the Phase I building to include:

- Barrel Room – 790 sf and,
- Case Goods Storage Room – 770 sf (this building would total 9,200 sf).

#### LAND USE ORDINANCE STANDARDS:

Ordinance Compliance:

The project is subject to Land Use Ordinance section 22.30.070.D.(2), wineries. Section 22.30.070 sets forth standards for winery development including but not limited to access, setbacks, parking, design, screening, height, lighting and tasting rooms.

<b><u>Standard</u></b>	<b><u>Allowed / Required</u></b>	<b><u>Proposed</u></b>	<b><u>In Compliance</u></b>
Minimum Site Area (Section 22.30.070)	20 acres	70 acres	Yes
Access location (Section 22.30.070)	Wineries with tasting rooms, retail sales located within 1 mile of arterial or collector	Property fronts Vineyard Drive a collector road	Yes
Setbacks from residences outside of the ownership of the applicant (Section 22.30.070)	200 feet for wine processing buildings  400 feet for tasting room	> 200 feet  > 400 feet	Yes
Setbacks from property lines: (Section 22.30.070)	100 feet required for wine processing buildings  200 feet for Tasting Room	> 100 feet  > 200 feet Closet setback is front setback – 328 feet	Yes
Setbacks of Tasting room to Processing Facility (Section 22.30.070)	Tasting Room must be within 200 feet of the wine processing facility	< 200 feet (tasting room is located within the processing building)	Yes
Height (Section 22.30.070)	35 feet	27 feet	Yes
Signs (Section 22.20)	<ul style="list-style-type: none"> <li>One monument sign</li> <li>Maximum of aggregate area of 100 sf of signing per site</li> <li>Maximum area of 40 sf</li> <li>Maximum height of 5 ft.</li> </ul>	No signs proposed at this time	NA

<u>Standard</u>	<u>Allowed / Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Limitation on Use / Noise (Section 22.30.070)	<ul style="list-style-type: none"> <li>• Special events limited to 40 days per year;</li> <li>• Amplified music shall not occur before 10 a.m. and after 5 p.m.;</li> <li>• Standard may be waived where finding can be made that the noise will not exceed 65dB at property lines</li> </ul>	<ul style="list-style-type: none"> <li>• No outdoor amplified music proposed after 5 p.m.;</li> <li>• 6 special events with up to 80 guests</li> </ul>	Yes
Design Standards (Section 22.30.070)	Agricultural or residential in nature	Residential in character	Yes
Tasting room (Section 22.30.070)	One tasting room allowed for each winery	One tasting room proposed.	Yes
Liquid waste disposal (Section 22.30.070)	<ul style="list-style-type: none"> <li>• Winery wastewater - standards set through RWQCB</li> <li>• Domestic wastewater - leach lines shall be located at least 100 feet from any private well</li> </ul>	<ul style="list-style-type: none"> <li>• Conditioned for waste discharge permit from RWQCB</li> <li>• Conditioned to provide information to Environmental Health Department to comply</li> </ul>	Yes, as conditioned
Solid waste disposal (Section 22.30.070)	Pomace may be used as fertilizer or soil amendment	Pomace will be composted on site	Yes, as conditioned
Lighting (Section 22.30.070)	Lighting fixtures are required to be shielded	Future lighting is conditioned to follow ordinance requirements	Yes, as conditioned
Screening/ Landscaping (Section 22.30.070)	Screening if visible from public road (can be seen from Vineyard Drive)	Landscaping proposed	Yes
Parking 1 per 2,000 sf active 1 per 5,000 sf of storage 1 per 200 sf of tasting room (Section 22.18)	6 spaces	6 spaces	Yes

<u>Standard</u>	<u>Allowed / Required</u>	<u>Proposed</u>	<u>In Compliance</u>
Design and Operation Standards / Special Event Parking (Section 22.30.610.D.1-4 and E)	400 sf per vehicle; Located on open areas with slopes of 10 % or less, free of combustible material; 80 person event would require 16,000 sf	There is enough room located on site for overflow parking	Yes
Design and Operation Standards / Access (Section 22.30.610.D.1-4 and E)	Temporary Events shall be provided 2 access points	One primary access and one secondary access has been proposed	Yes
Design and Operation Standards / Fire Protection (Section 22.30.610.D.1-4 and E)	Facilities to be provided as required by CAL FIRE	Project will be designed to meet CAL FIRE standards	Yes, as conditioned
Design and Operation Standards / Water Supply and sanitation (Section 22.30.610.D.1-4 and E)	Facilities to be provided as required by the Health Department	Project designed to meet Health Department Standards	Yes, as conditioned
Permit Requirement	Minor Use Permit approval required for 6 or less special events	6 special events with up to 80 guests	Yes, applicant has applied for a Minor Use Permit approval

#### **PLANNING AREA STANDARDS:**

There are no planning area standards applicable to this project.

#### **ENVIRONMENTAL:**

Biological Resources. The proposed project requires clearing, grading, building, and other improvements to the land associated with the project. No sensitive resources were identified on the project site. The project will not result in any impacts to oak trees or require the removal of any oak trees. The winery building will be located within an existing disturbed area used for agricultural roads and vineyards.

The proposed project will not likely affect pond turtles or pond turtle nesting habitat due to the distance of construction areas from aquatic habitats where pond turtles have been found. However, to ensure avoidance, the applicant has agreed to avoid and mitigate any potential impacts to less than significant levels.

#### **COMMUNITY ADVISORY GROUP COMMENTS:**

Templeton Area Advisory Group voted in support of the proposed project on January 16, 2014.

#### **AGENCY REVIEW:**

Public Works - No concerns; stock conditions apply;

Environmental Health – Verify water supply adequacy and potability;

Ag Commissioner- Preclude lawn/turf, maximize use of pervious and semi-pervious areas;  
CAL FIRE – See issued Commercial Fire Plan dated June 24, 2013;  
RWQCB- No comments received.

**LEGAL LOT STATUS:**

The existing lot was legally created by a parcel map at a time when that was a legal method of creating lots.

Staff report prepared by Holly Phipps and reviewed by Bill Robeson.